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16 MITSUI O.S.K. LINES, LTD.

17 IN THE UNITED STATES DISTRICT COURT

18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19
20 MITSUI O.S.K. LINES, LTD.

21 Plaintiff,

22 vs.

) Case Nos.: 11-02861 SC
) 10-05591 SC
) [Consolidated]
)23 SEAMASTER LOGISTICS, INC.; SUMMIT
LOGISTICS INTERNATIONAL, INC.;24 KESCO CONTAINER LINE, INC.; KESCO
25 SHIPPING, INC., and DOES 1 through 20,

26 Defendants.

) **[PROPOSED] JUDGMENT**
)

) Date: November 13, 2015

) Time: 10:00 a.m.

) Courtroom: 1

) Judge: Hon. Samuel Conti
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In accordance with its Order on Remand from the Ninth Circuit (Doc. No. 347, 10/05/15, in Case No. 11-cv-2861-SC), the Court enters judgment as follows. “MOL” refers to plaintiff Mitsui O.S.K. Lines, Ltd.

1. On MOL’s claims for intentional and negligent misrepresentation, the Court enters judgment in favor of MOL and against defendant SeaMaster Logistics, Inc. in the amount of \$1,151,205.

2. On MOL’s claims for intentional and negligent misrepresentation, the Court enters judgment in favor of MOL and against defendant Toll Global Forwarding (Americas) Inc. (formerly known as Summit Logistics International, Inc.) in the amount of \$2,122,374.

3. The Court dismisses with prejudice MOL’s claims against defendants SeaMaster Logistics, Inc. and Toll Global Forwarding (Americas) Inc. (formerly known as Summit Logistics International, Inc.) under the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. Sections 1962 et seq.

4. In addition to the amount stated in paragraph 2, on MOL’s claims for intentional and negligent misrepresentation and conspiracy, the Court enters judgment in favor of MOL and against defendant Toll Global Forwarding (Americas) Inc. (formerly known as Summit Logistics International, Inc.) jointly and severally with defendant Kesco Container Line, Inc., in the amount of \$242,649.

5. The Court’s following judgments stated in its Order Granting Summit Logistics International Inc.’s Motion to Alter or Amend the Judgment (Doc. No. 309, 07/18/13, in Case No. 11-cv-2861-SC) remain undisturbed: (a) judgment in favor of MOL against defendant Kesco Container Line, Inc.; and (b) judgment in favor of Kesco Shipping, Inc. against MOL.

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6. The Court's judgment in Case No. 10-cv-05991-SC remains undisturbed.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Dated: October 43, 2015



Samuel Conti
United States District Judge

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